35. A method for the medical treatment for diseases characterized by cells that are producing disease related proteins is provided for a patient in need thereof by administering a mono amine oxidase inhibitor type drug in an amount established for antidepressant use which shuts down production of said disease related proteins which terminates said cells which halts disease activity.

36. The method of claim 35 where said diseases is viral disease.

37. The method of claim 35 where said diseases is cancer related diseases

38. The method of claim 35 where said diseases is abnormal protein related disease.

39. The method of claim 35 where said cells that are incessantly producing proteins is cells innate to infectious microorganisms that are incessantly producing toxic and dangerous proteins

40. The method of claim 35 for prophylaxis drug treatment where A method for medical treatment is A method for prophylaxis treatment.

REMARKS

1. The applicant responds to the Final Office Action and requests that the amendments be allowed in pursuant to Rule 116, which is necessary to respond to issues of the Final Office Action mailed on **March 29, 2006**, and other issues which have been referenced in the previous office action of October 5, 2005, that are also included in this response. As the Office Action has stated, the applicant is unfamiliar with the proper preparation and prosecution of the patent application and due to hardship is without means to employ professional help. Nevertheless help is needed to avoid mistakes made in ignorance as illustrated by the Substitute Specification which represented a large amount of work filed in good faith, but which has been disallowed and thus sets back the prosecution of this application to the beginning where further limitations now exist that further confounds efforts by a pro se applicant.

2. As such the applicant pleads for consideration and help pursuant to MPEP 707.07(j) which is permissible, "in all cases where it is apparent the applicant is unfamiliar with the proper preparation and prosecution of patent applications." The applicant has been diligent to respond in good faith, to study the rules, and study the self help for inventors type text books, but nevertheless is lacking experience and skill which places the successful prosecution of this patent application in jeopardy. Therefore due to the importance of this invention which merits special consideration because of the public benefit derived by new medicine that when made available provides the means for those suffering such terminal illnesses the means to overcome such quickly. The scientific basis of this discovery is made understandably clear

and applied use of the method is evidenced by multiple prior art applications, and has been reduced to practice for antiviral use against smallpox and polio by the Marboran prior art entry, and has been reduced to practice for viral, cancer, and infectious organism use by the present invention.

3. If the intent of congress from which MPEP 707.07 derives was to authorize action by the examiners that would permit their assistance on behalf of the applicant, then much more should assistance be justified on behalf of public need as pertains to a life and death issue. Never before has a national need for an efficacious antiviral product having capability to shutdown mutant viruses as the bird flu, small pox, and as the crown virus mutant strains illustrate been so frequently stressed by our leadership and news coverage. And perhaps more importantly at this time while our nation is at war where a potential exists where such diseases could be used as low cost yet deadly weapon that could be used against our nation with catastrophic results by the action of a very few, such gives greater cause why special action is merited to walk this patent application through to its final approval if possible. Your help and understanding is very much appreciated. The applicant's response to the previous actions as follows:

4. **Page 2, paragraph 2, the OA cites new matter added in response to the art and arguments.** The Office Action has stated that on page 2 of the 1/3/06 reply that the substitute Specification was provided in response to the art and arguments and thus contained new (technical) matter. However the Substitute Specification was provided to make clear that the applicant was not seeking to patent a new drug design but as stated on page 2 of the response which reads, " ...so that the application will be in concert toward articulating a 'different purpose type claim' which the applicant believes is necessary to resolve the objections and rejections cited," which in large part had been misrepresented as pertaining to a new drug design issue. As such the Substitution Specification was provided to "articulate" the new drug use provided by MAOI type drugs that provided disease treatment therapy purpose which was the intention of the application from the beginning, and has always been claimed, and was not redefined, altered, or modified by the Substitute Specification so as to overcome any rules, arguments, art or other issue. And because of the large number of amendments made necessary by the original Office Action a Substitute Specification provisioned under MPEP 608.01 seemed proper and was suggested by a self help text book. The time researching the new drug design type issues and citing such had wasted the Examiner's time and also much confounded and setback the applicant's efforts to prosecute the needed patent protection sought. As such the applicants purpose was to make clear what was apparently not clear, and offered such in good faith to remedy that misunderstanding, but considers the issue now moot.

As such the applicant now addresses all the issues cited in the two previous Office Actions by amendment, has scrutinized his work to avoid any violation, or appearance of any violation that the invention has been altered in any way, or has new issues added that could constitute new technical matter about the invention. A thorough response to all outstanding issues as applicant believes is required to overcomes the rejections cited is addressed as follows:

5. **Page 3 paragraph 4, the OA cites the dependent claims as improper form.**
The applicant has had difficulty in writing the claims and had dropped some claims due to such difficulty. However after carefully scrutinizing 35 U.S.C. 112 and PTO Rule 75, the applicant has written claims he believes is sufficient to protect the invention in what is now believed as proper form based on understanding derived from the code. The applicant believes that dependent claims 28 through 31, complies with 35 U.S.C. 112 where the dependent claims articulate further limitation of claim 27, as 35 U.S.C. 112(4) provisions. And where dependent claims 32, 33, and 34, makes reference to claim 31's antibiotic means, they provide a combination of uses where the recital of the elements of 31 is not made necessary as provisioned by 35 U.S.C. 112(6). The dependent claims 36 through 40 makes further limitation on claim 35, which is provisioned by 35 U.S.C. 112(4).

6. **Page 4 paragraph 2 questions if applicant has possession of the original invention.** The applicant has not knowingly provided any new matter that would indicate any different invention other than that already stated in the relevant documents. The applicant has claimed the benefits of the Provisional Patent Application, 60/459,694, filed April 2, 2003, which defines the invention as presently exists and such was clearly presented in the 60/459,694 document which remains unchanged in the present Specification. And based on the requirements stated in the Patent Office web site that lists the required topic for drafting the Specification, all the required information was written into the Specification under the appropriate topic headings as provided by the web site. However some enablement requirements cited by the Office Actions were not listed as being required by the web site and were not included into the Specification, and if such was not necessary the applicant did not want to make public on the web some issues such as that he had suffered HIV type AIDS, because a stigma is attached that provides a prejudice, shame, fear, and unwarranted judgment associated with such disease. The applicant also reasoned that he had claimed the benefits of the Provisional Patent Application as stated under the CROSS REFERENCE TO RELATED APPLICATIONS topic and that such served to incorporate by reference the benefits of the required information as provided therein. However the applicant has

included in detail all enablement issues previously cited including the HIV and AIDS matters and requests that all the amendments offered be allowed as the stigma issue is very minor and hardly worth mentioning in context of the overall importance of this matter.

7. **Page 4, paragraph 2, 3, and 4, cites 35 U.S.C. 112, enablement requirement needs.**
The referenced amendments are requested and needed to comply with the enablement requirement previously cited in previous Office Actions. The amendment at **0025** is needed to teach in full precise, clear detail the present invention and show its difference from other inventions that it might be associated with and provide confusion. The amendment requested at **0030** teaches the hydrazide protein inhibitor method used by the present invention, which illustrates the high level of predictably for such method, shows efficacious application of the method provided by prior art, and shows the applied use of the antiviral concept which the present invention improves upon. Amendment **0042** includes the synthesis procedure used to make two of the hydrazides described in the Specifications needed under the make and use requirement. Amendment at paragraph **0045** and **0046** teaches the best mode concept used for the three areas of applied use which are viral, cancer, and antibiotic uses which were reduced to practice. Paragraph **0049** teaches the antiviral concept, and **0050** describes the concept having been reduced to practice. Paragraph **0051** teaches the antiviral concept and its use to improve on a prior art antiviral invention that also uses the hydrazide method but which is not derived from the MAOI hydrazide type as present invention requires. Paragraphs **0057** and **0058** teaches the anticancer concept and its applied use to stop cancer activity and describes its use having been reduced to practice. Paragraph **0060** and **0061** teaches the antibiotic concept and its practical applied use also having been reduced to practice. The applicant has provided all the information cited by the Office Actions as needed herewith in a full, clear, concise, and exact terms which describes the invention in detail, how to make an use such, with a description of its successful applied uses as is reflected by the claims, and has expounded on the best mode concept for carrying out this invention in the most safe and efficacious manner possible.

8. **Page 5 paragraph 3 claims failure to particularly point out and claim subject matter.**
Claims 26, is now written so as to comply with PTO Rule 75 (e), as such pertains to an improvement. The claim provides in the preamble, a description of the original thiosemicarbazone hydrazide antiviral agent that was discontinued due to cytotoxic problems, then a "wherein" that follows with the improvements as provided by the MAOI type hydrazide as was reduced to practice by the applicant

which is exceedingly efficacious at a fraction of the dose level and is without the toxicity problems provided by the thiosemicarbazone hydrazide method.

Claim 27, is based on PTO Rule 75 (e), as the nature of the case admits which in this case pertains to the new purpose provisioned by Kirby, 40 USPQ 368. The preamble provides a description of the MAOI hydrazide operation which provides the drug's antidepressant purpose, then a "wherein" that follows with reference to said means that provides the new disease treatment purpose as provided and claimed by 27. Claims 28 through 31, are dependent to claim 27, that articulate further limitation over claim 27 as 35 U.S.C. 112(4) has provisioned, i.e. antiviral, anticancer, abnormal protein, and antibiotic purpose.

Claim 32, 33, 34, articulates additional purpose with out having to recite elements of claim 31 which limits claim 27 to antibiotic purposes, as provisioned by 35 U.S.C. 112(6), and where the dependent claims 33 through 36 limits said treatment method to the specific types of diseases, i.e. antiviral, anticancer, abnormal protein, and microorganism infection which conforms to paragraph (4) of 112.

Claim 37 is a method claim conforming to 35 U.S.C. 112(2)(3), that pertains to treatment method.

Claims 36, 37, 38, 39, and 40 are dependent to claim 37, which articulate further limitation of claim 35 as provisioned by 35 U.S.C. 112(4).

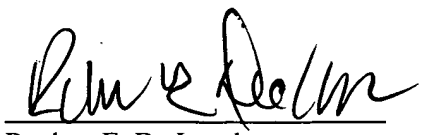
9. **Page 5 paragraph 5, cites invention as anticipated by the Specification at paragraphs 2 and 4.** The applicant corrects the improper wording, but had taken the phrase from a patent self help book that used the phrase to illustrate, "new use claims", as illustrated by wording used in the text a "new use for aspirin to increase the growth of swine," example and as such the applicant considered similar "new use for MAOI hydrazide drugs for disease treatment, etc." phraseology proper. However a, "different purpose" type phrase has been made as amendment at **0002** and **0003** which replaces the "new use" term. And the literature referenced in the "Notice of References Cited," is also needed where appropriate and is provided by amendment for paragraphs **0009, 0013, 0018,** and **0021**. And the first sentence of paragraph **0018** was apparently garbled by the word processor programs as has occurred on occasion, and the correct sentence is requested for the amendment at **0018**..

10. **Page 4 paragraph 2, first OA, cites the lack of believableness of the utility of hydrazides.** The OA cites diseases as Alzheimer's and others listed in the Specification as being unbelievable claims in respect of contemporary knowledge and must be substantiated by acceptable evidence or stricken from the Specification. The applicant has requested that paragraph 73 through 78 be deleted in such regard. However the applicant believes that cells which host abnormal protein activity as exists with viral

infections, cancer, Alzheimer's disease, prion infections, and cells which produce abnormal proteins will respond favorably to hydrazide treatment. This is because hydrazide use is predicated on protease cleavage action by cells producing abnormal proteins as viral coat protein, cancer metastatic protein, Alzheimer's plaque protein, prion proteins, and other disease specific protein products or antigens. Such action will cause protease cleavage to target the hydrazide substrate in process of producing such disease associate proteins which will shutdown the disease activity. The method has been reduced to practice as pertaining to cancer and viral infection use as presented above, and is independently conformed for hydrazide use as the referenced literature shows pertaining to Marboran, the powerful antiviral agent that is also based on the hydrazide method. As such the applicant believes the method is proven without dispute and such matter will be found understandable and believable as presented in the Specification by those skilled in the art and should not be deleted. Such information is relevant to present invention and satisfies many aspects of the enablement requirement and should remain in the Specification. However the applicant does not wish to hold up the application from final approval and if such matter remains an issue even in light of the information stated here such that it will delay final approval of the application if not deleted from the Specification then the applicant requests that the matter deemed unbelievable by the Examiner be deleted or stricken from the Specification.

The applicant respectfully submits that the deficiencies and errors in the specifications are herewith corrected and satisfied, that no new technical matter has been added about the invention, and that all the enablement requirements have been addressed in full, clear, concise and exact terms and in compliance with all other requirements of 35 U.S.C. 112, and that the distinctions made by the claims pertain to improvement, new purpose and method that heretofore has not existed which represents novel, new, and very much needed innovations.

Respectfully submitted,



Reuben E, De Loach
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Affidavit and Certificate of Mailing

I certify that the information provided in the above response to the Office Action post marked March 30, 2006, is true and correct based on my personal knowledge and belief under penalty of perjury, and that I provide the same which is hereby deposited for Express Mail delivery by the United States Postal Service, Express Mail Certificate Number **EQ 350447633 US**, and that such is addressed to: **BOX AF, Commissioner of Patents, MS Non-Fee Amendment, Unit 1621, Examiner B. J. Davis, Alexander, Va. 22313-1450**, on this **30th day of May, 2006.**

Respectfully submitted and attested to as true and correct.

Reuben E. DeLoach

Certificate of Notary

The State of Texas, County of Tarrant

Subscribe and affirmed before me by Reuben E. DeLoach, of 3916 Linkmeadow Drive, Tarrant County, Texas, on this 30th day of May, 2006, to certify which witness my hand and seal of office.

Notary Public, State of Texas
My commission Expires: 3-15-2010

DEBORAH L SIFUENTES
My Commission Expires
March 15, 2010